

AUG 26 2003

PATENT
Docket No. 226272002201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Leaf HUANG et al.

Serial No.: 09/376,395

Filing Date: August 18, 1999

For: STABLE LIPID-COMPRISING DRUG
DELIVERY COMPLEXES AND
METHODS FOR THEIR PRODUCTION

Examiner: R. Schnizer

Group Art Unit: 1635

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☒ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of ___ is enclosed.
 - ☒ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of ___ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)


Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 226272002201. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: August 26, 2003

Respectfully submitted,

By: 

Kimberly A. Bolin
Registration No. 44,546
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, CA 94304-1018
Telephone (650) 813-5740
Facsimile (650) 494-079

AUG 26 2003

PTO/SB/08 (2-92)

Sheet 1 of 1

Form PTO-1449

INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 226272002201

Application Number 09/376,395

Applicant

Leaf HUANG, et al.

Filing Date August 18, 1999

Group Art Unit 1635

Mailing Date: August 26, 2003

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	11/08/2001	2001/0038851	Allen et al.			
	2.	07/12/2001	2001/0007666	Hoffman et al.			
	3.	12/19/2002	2002/0192651	Wheeler et al.			
	4.	04/06/1999	5,891,468	Martin et al.			
	5.	11/09/1999	5,981,501	Wheeler et al.			
	6.	03/14/2000	6,037,176	Bennett et al.			
	7.	05/01/2001	6,224,903	Martin et al.			
	8.	03/18/2003	6,534,484	Wheeler et al.			
	9.	07/01/2003	6,586,410	Wheeler et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	10.	10/01/1998	WO 98/42383	WIPO			
	11.	04/19/2001	WO 01/27154	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

pa- 804138

PTO/SB/ 08 (2-92)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE